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RESOLUTION NO. 04-176

RESOLUTION OF FINDINGS OF ADVISABILITY AND
RESOLUTION AUTHORIZING CONSTRUCTION OF **WATER
DISTRIBUTION SYSTEM NUMBER 448-89933 (NORTH OF 21ST,
WEST OF 143RD STREET EAST)** IN THE CITY OF WICHITA,
KANSAS, PURSUANT TO FINDINGS OF ADVISABILITY MADE BY
THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF
WICHITA, KANSAS, THAT THE FOLLOWING FINDINGS AS TO THE
ADVISABILITY OF CONSTRUCTING **WATER DISTRIBUTION SYSTEM
NUMBER 448-89933 (NORTH OF 21ST, WEST OF 143RD STREET EAST)** IN
THE CITY OF WICHITA, KANSAS, ARE HEREBY MADE TO-WIT:

SECTION 1. That it is necessary and in the public interest to construct **Water
Distribution System Number 448-89933 (north of 21st, west of 143rd Street East)** in
the City of Wichita, Kansas.

SECTION 2. That the cost of said improvements provided for hereof is
estimated to be **Seventy Thousand Dollars (\$70,000)**, exclusive of the cost of interest on
borrowed money, with **81.94** percent of the total cost payable by the improvement district
and **18.06** percent of the total cost payable by the City of Wichita from Water
Department Water Utility Improvement Funds. Said estimated cost as above set forth is
hereby increased at the pro-rata rate of 3 percent per year from and after **April 1, 2004**,
exclusive of the costs of temporary financing.

SECTION 3. That all costs of said improvements attributable to the
improvement district, when ascertained, shall be assessed against the land lying within
the improvement district described as follows:

KRUG NORTH ADDITION

Lots 1 through 32, Block A
Lots 1 through 11, Block B
Lots 1 through 16, Block C
Lots 1 through 22, Block D
Lots 1 through 18, Block E
Lots 1 through 27, Block F
Lots 1 through 20, Block G
Lots 1 through 17, Block H
Lots 1 through 54, Block I

SECTION 4. That the method of apportioning all costs of said improvements attributable to the owners of land liable for assessment shall be on a **fractional** basis:

Lots 1 through 32, Block A, Lots 1 through 11, Block B, Lots 1 through 16, Block C, Lots 1 through 22, Block D, Lots 1 through 18, Block E, Lots 1 through 27, Block F, Lots 1 through 20, Block G, Lots 1 through 17, Block H, and Lots 1 through 54, Block I, KRUG NORTH ADDITION, shall each pay 1/217 of the total cost of the improvements.

Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

SECTION 5. That payment of said assessments may indefinitely be deferred as against those property owners eligible for such deferral available through the Special Assessment Deferral Program.

SECTION 6. That the City Engineer shall prepare plans and specifications for said improvement and a preliminary estimate of cost therefore, which plans, specifications, and a preliminary estimate of cost shall be presented to this Body for its approval.

SECTION 7. Whereas, the Governing Body of the City, upon examination thereof, considered, found and determined the Petition to be sufficient, having been signed by the owners of record, whether resident or not, of more than Fifty Percent (50%) of the property liable for assessment for the costs of the improvement requested thereby; the advisability of the improvements set forth above is hereby established as authorized by K.S.A. 12-6a01 et seq. as amended.

SECTION 8. Be it further resolved that the above described improvement is hereby authorized and declared to be necessary in accordance with the findings of the Governing Body as set out in this resolution.

SECTION 9. That the City Clerk shall make proper publication of this resolution, which shall be published once in the official City paper and which shall be effective from and after said publication.

ADOPTED at Wichita, Kansas, April 13, 2004.

CARLOS MAYANS, MAYOR

ATTEST:

KAREN SCHOFIELD, CITY CLERK

(SEAL)